

Senate Bill 18

By: Senators Harp of the 29th, Unterman of the 45th, Weber of the 40th, Chapman of the 3rd, Moody of the 56th and others

A BILL TO BE ENTITLED
AN ACT

To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to the state highway system, so as to provide for an inventory of scenic areas; to change certain provisions relating to restrictions on outdoor advertising authorized by Code Sections 32-6-72 and 32-6-73; to restrict outdoor advertising near certain scenic areas; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to the state highway system, is amended by adding a new Code section to read as follows:

"32-6-74.1.

(a) Not later than six months after the effective date of this Code section, the department shall complete an inventory that identifies scenic areas that are within 660 feet of the nearest edge of the right of way of the interstate and primary highways in this state. Such inventory shall be a public record and shall include:

(1) Areas and rights of way with substantial scenic qualities that are unique to this state, including but not limited to scenic highways previously designated as such by the department;

(2) Visually sensitive areas or scenic landscapes or viewsheds, such as locations that have panoramic views, vistas, or locations used by a substantial number of participants for astronomy, as designated by the department;

(3) Properties subject to conservation use assessment for ad valorem tax purposes pursuant to Code Section 48-5-7.4 or 48-5-7.7;

(4) Locations of historic trees as identified by the State Forestry Commission;

(5) Locations of historical markers erected by the former Georgia Historical Commission created by an Act approved February 21, 1951 (Ga. L. 1951, p. 789), the Department of Natural Resources, or political subdivisions of this state;

(6) Areas that have been designated as scenic areas by political subdivisions of this state;

(7) Heritage tourism sites as identified by the Department of Economic Development;

(8) Centennial farms as identified by the Department of Agriculture; and

(9) Locations on the federal National Register of Historic Places.

(b) The department shall maintain and update annually the inventory required by subsection (a) of this Code section.

(c) Other departments and agencies of state government and political subdivisions of this state shall cooperate with the department for purposes of the inventory and updates required by this Code section."

SECTION 2.

Said part is further amended in subsection (a) of Code Section 32-6-75, relating to restrictions on outdoor advertising authorized by Code Sections 32-6-72 and 32-6-73, by revising paragraph (14) and adding a new paragraph (14.1) as follows:

"(14) Is within 500 feet in any direction of a public park, public playground, public recreation area, public forest, ~~scenic area~~, or cemetery; provided, however, that such sign may be located within 500 feet of a public park, public playground, public recreation area, public forest, ~~scenic area~~, or cemetery when the sign is separated by buildings or other obstructions so that the sign located within the 500 foot zone is not visible from the public park, public playground, public recreation area, public forest, ~~scenic area~~, or cemetery;

(14.1) Is within 660 feet in any direction of any scenic area listed in the most current inventory maintained by the department pursuant to Code Section 32-6-74.1;"

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.